

COON RAPIDS PLANNING COMMISSION MEETING OF OCTOBER 15, 2015

CALL TO ORDER

The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Chair Schwartz at 6:30 p.m.

Members Present: Chair Wayne Schwartz, Commissioners Denise Hosch, Mary Schmolke, and Zachary Stephenson.

Members Absent: Commissioner Ray Knoblauch and Julia Stevens.

Staff Present: Planner Scott Harlicker; and, Assistant City Attorney Doug Johnson.

PLEDGE OF ALLEGIANCE

Chair Schwartz led the Commission in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

MOTION BY COMMISSIONER HOSCH, SECONDED BY COMMISSIONER SCHMOLKE, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF THE SEPTEMBER 17, 2015 REGULAR MINUTES

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER HOSCH, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF SEPTEMBER 17, 2015, AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

1. PLANNING CASE 15-31 – CONDITIONAL USE PERMIT AND SITE PLAN FOR EXPANSION OF OUTDOOR STORAGE AREA – 9900 VALE STREET – MAYFLOWER PROPERTIES – PUBLIC HEARING
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It was noted the applicant is requesting a Conditional Use Permit and site plan approval for an expansion to the outdoor storage area of the existing self-storage facility. Staff recommended this item be postponed to the November 19th Planning Commission meeting.

Chair Schwartz opened the public hearing at 6:32 p.m. and continued it to the November 19th meeting.

MOTION BY COMMISSIONER SCHMOLKE, SECONDED BY COMMISSIONER HOSCH, TO POSTPONE THIS ITEM TO THE NOVEMBER 19, 2015 PLANNING COMMISSION MEETING. THE MOTION PASSED UNANIMOUSLY.

2. PLANNING CASE 88-37 – REVIEW OF CONDITIONAL USE PERMIT FOR SEMI-TRAILER STORAGE – JOHN BECKER – 9526 FOLEY BOULEVARD – PUBLIC HEARING

It was noted the applicant is requesting a conditional use permit for semi-trailer storage. Staff discussed the request in detail with the Commission and recommended revocation of the conditional use permit.

Commissioner Stephenson asked if the conditional use permit included an ice house and pop up camper. Planner Harlicker reported that these items were not included in the conditional use permit. He then reviewed the conditions with which the City can consider a conditional use permit revocation.

Commissioner Stephenson understood there were a lot of structures on this property.

Chair Schwartz opened the public hearing at 6:39 p.m.

John Becker, 9526 Foley Boulevard, discussed the conditions surrounding the conditional use permit and reported there was to be no debris around the semi. He commented this has all been cleaned up. He indicated he has been operating a motorcycle shop for 30 years, he has been paying taxes and was a legitimate business in the State of Minnesota. He explained how the semi-trailer was used for external storage. He discussed how his property had been impacted after the reconstruction of Foley Boulevard. He stated he was not able to subdivide as he was planning. He questioned what was going on at the plastics plant. He hoped he would not have to sue the MLS for false representation. He stated he would move if the City and County were willing to pay relocation fees.

Chair Schwartz asked if Mr. Becker needed a home occupation permit to run a business out of his home. Assistant City Attorney Johnson reported that at the time of the original request, a conditional use permit was required and not a home occupation permit.

Commissioner Stephenson questioned if the language within the conditional use permit covered the described code violations (people living within the camper trailer). Assistant City Attorney Johnson explained the property was examined as a whole and it seems to staff that people living on the property created a more intensive use on the site. For this reason, the staff found the site to be not in compliance with the conditional use permit.

Commissioner Stephenson supported the revocation of the conditional use permit, however he suggested rationale #2 and #4 being removed from staff's recommendation.

Commissioner Schmolke believed that rationale #2 contributed to the overall non-compliant situation on the site. Assistant City Attorney Johnson recalled that the way the City processes conditional use permits that applicants are to remain in compliance with Title 11. For this reason, rationale #2 and #4 were written into the revocation recommendation.

Commissioner Stephenson appreciated this advisement and stated he would support staff's recommendation as presented.

Chair Schwartz closed the public hearing at 6:59 p.m.

Chair Schwartz explained he drove by the property and believed that it was in a state of disrepair. He commented that he would not want to be living next to this property and he supported staff's recommendation to revoke the conditional use permit.

MOTION BY COMMISSIONER SCHMOLKE, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE PLANNING CASE 88-37, REVOKING THE CONDITIONAL USE PERMIT BASED ON THE FOLLOWING:

1. THE APPLICANT IS IN VIOLATION OF THE FOLLOWING CONDITIONS OF APPROVAL:
 - A. THE AREA UNDER AND AROUND THE TRAILER SHALL BE REGULARLY MOWED OR OTHERWISE KEPT FREE OF LONG WEEDS AND GRASS.
 - B. THERE SHALL BE NO OUTSIDE STORAGE OF MATERIAL AND ACCUMULATION OF DEBRIS.
 - C. THERE SHALL BE NO STORAGE OF HAZARDOUS OR HIGHLY FLAMMABLE MATERIAL IN VIOLATION OF FIRE CODES.
2. THE APPLICANT HAD TWO INDIVIDUALS LIVING IN A NON-COMPLIANT ACCESSORY STRUCTURE AND A CAMPER.
3. THERE ARE MULTIPLE TRAILERS ON SITE.
4. THERE HAVE BEEN MULTIPLE POLICE REPORTS REGARDING THE INDIVIDUALS LIVING IN ILLEGAL STRUCTURES.
5. OPERATION OF AN ILLEGAL TIRE SALES/REPAIR BUSINESS ON THE PROPERTY.
6. COON RAPIDS FIRE DEPARTMENT NOTED THE HAZARDOUS CONDITIONS ON THE SITE AND REQUESTED THE PROPERTY BE PLACED ON ANOKA COUNTY DISPATCH ALERT.
7. THAT STAFF CONFIRM THE ADDITIONAL CONDITIONS WITHIN THE ORIGINAL CONDITIONAL USE PERMIT.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 3, 2015 City Council meeting.

OTHER BUSINESS

Planner Harlicker provided the Commission with an update on the development taking place in the City of Coon Rapids.

ADJOURN

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER HOSCH, TO ADJOURN THE MEETING AT 7:03 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,
Heidi Guenther
Planning Commission Recording Secretary